

J. C. DAVIS

IBLA 78-197

Decided May 12, 1978

Appeal from a decision of the Utah State Office, Bureau of Land Management, rejecting oil and gas drawing card lease offer. Utah 39220.

Reversed and remanded.

1. Oil and Gas Leases: Applications: Generally -- Oil and Gas Leases:  
Applications: Drawings

An entry card in a simultaneous oil and gas lease drawing need not be rejected where the card sets out in the parcel designation the complete name of the State in which the parcel is located instead of the abbreviation of the State name used as the State code prefix. All else being regular, such an entry card is fully executed.

APPEARANCES: J. C. Davis, pro se.

OPINION BY ADMINISTRATIVE JUDGE HENRIQUES

J. C. Davis had appealed from a decision dated January 3, 1978, by which the Utah State Office, Bureau of Land Management (BLM), rejected his drawing entry card oil and gas lease offer Utah 39220. The card, filed in the simultaneous drawing procedure for November 1977, was rejected on the ground that the card had not been fully executed, it having described the parcel applied for as "94 UTAH," instead of "UT-94."

[1] In a recent decision, this Board discussed this issue fully and held that a drawing entry card which sets out in the parcel designation the number and the complete name of the State, instead of the abbreviation of the State name used as the State code prefix, will

be deemed to have been fully executed and is not to be rejected for that reason. Clayton Chessman, 34 IBLA 263 (March 31, 1978). See also Douglas Steele, 34 IBLA 344 (1978).

Although dissenting from the majority in Chessman, supra, I am now constrained to follow that opinion. Accordingly, for the reasons stated by the majority in Chessman, supra, appellant's drawing entry card was improperly rejected.

Therefore, pursuant to the authority delegated to the Board of Land appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is reversed and the case remanded to the State Director for Utah for further proceedings consistent herewith.

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Douglas E. Henriques  
Administrative Judge

I concur:

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Joseph W. Goss  
Administrative Judge

ADMINISTRATIVE JUDGE FISHMAN DISSENTING:

For the reasons cited in my dissenting opinion in Clayton Chessman, 34 IBLA 263 (1978), I dissent from this decision.

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Frederick Fishman  
Administrative Judge

